

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8401 OF 2007

Ajit Damodar Nandurkar & Ors. .. Petitioners

Versus

Mangilal Lakhamichand Shamsukha
since deceased through his heirs
& Legal Representatives & Ors. .. Respondents

Mr.Mandar Limaye for petitioner
Ms.V.Mhaispurkar, A.G.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th December 2007

P.C.

. This petition seeks direction to the
State Government to decide petitioners appeal and

stay application filed against the order of Additional Commissioner Nashik passed on R.T.S.Appeal/Revision No.147 of 1996. No interference is called for under the extra ordinary, equitable and discretionary jurisdiction, inasmuch as, if the order that will be passed in the pending appeal before the State is adverse to the petitioners, the same can be impugned by filing appropriate proceedings.

2. Ms.Mhaispurkar, learned A.G.P. on instructions states that the appeal and stay application both will be heard and decided together. Interest of justice would be sub-served if the State is directed to decide the appeal and stay application of petitioner within a period of eight weeks from today on merits and in accordance with law. With the aforesaid direction petition is disposed.

(S.C.Dharmadhikari, J)